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REPORT TO THE
1981 GENERAL ASSEMBLY
OF NORTH CAROLINA

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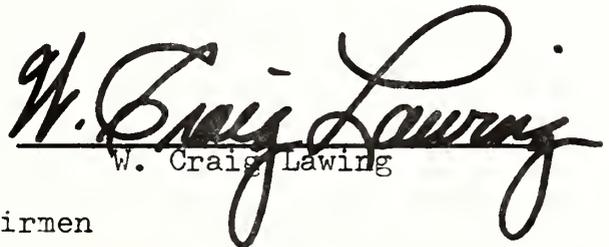
January 14, 1981

TO MEMBERS OF THE 1981 GENERAL ASSEMBLY

Transmitted herewith is the report prepared by the Committee to Study State Employees Alternative Work Schedules. The study was conducted pursuant to House Bill 1066, Chapter 997 of the 1979 Session Laws and this report is submitted to the members of the General Assembly for their consideration.

Respectfully submitted,


Carl J. Stewart, Jr.


W. Craig Lawing

Cochairmen

LEGISLATIVE RESEARCH COMMISSION

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PREFACE

The Legislative Research Commission, authorized by Article 6B of Chapter 120 of the General Statutes, is a general purpose study group. The Commission is cochaired by the Speaker of the House and the President Pro Tempore of the Senate and has five additional members appointed from each house of the General Assembly. Among the Commission's duties is that of making or causing to be made, upon the direction of the General Assembly, "such studies of and investigations into governmental agencies and institutions and matters of public policy as will aid the General Assembly in performing its duties in the most efficient and effective manner." [G.S. 120-30.17(1)]

At the direction of the 1979 General Assembly, the Legislative Research Commission has undertaken studies of numerous subjects. These studies were grouped into broad categories, and each member of the Commission was given responsibility for one category of studies. The Cochairmen of the Legislative Research Commission, under the authority of General Statutes 120-30.10(b) and (c), appointed committees consisting of members of the General Assembly and of the public to conduct the studies. Cochairmen, one from each house of the General Assembly, were designated for each committee.

The Study of State Employees Alternative Work Schedules was directed by House Bill 1066, Chapter 997 of the 1979 Session Laws of North Carolina. (First Session, 1979.) The charge to the Committee in Section I of the bill is to study alternative work schedules for State employees. These alternatives may include additional benefits for permanent part-time State employees, the increase in permanent part-time State classifications and

other alternatives. A copy of this bill is found in Appendix B of this report. A list of the members of the Legislative Research Commission and of the Committee, and a list of witnesses who appeared before the Committee is included in Appendix A.

COMMITTEE PROCEEDINGS

The Legislative Research Commission's Committee on State Employees' Alternative Work Schedules met five times during 1979 and 1980. The cochairmen, Senator Joseph Thomas and Representative Wilma Woodard convened the first meeting of the Committee on October 24, 1979. The Legislative Research Commission member-in-charge Representative Chris S. Barker discussed House Bill 1066, Chapter 997 of the Session Laws of 1979, see Appendix B., which authorized the Legislative Research Commission to undertake this study. Representative Barker explained that the purpose of this study is to determine the need for changes in the present work schedule for state employees and to provide additional job classifications such as part-time positions.

Representative Wilma Woodard, Cochairman, who introduced House Bill 1066 then gave the Committee some background on the various groups of state employees who are most interested in alternative work schedules. Representative Woodard stated that women, the retired and the handicapped often have difficulty finding employment with the State because there are not very many part-time jobs available or they cannot easily structure their schedule around an 8:00 a.m. to 5:00 p.m. schedule. Mrs. Woodard informed the Committee that House Bill 1066 directs the Committee to study the need for additional benefits for permanent part-time state employees and such alternatives as job-sharing, compressed work weeks and flextime.

The Committee was informed by the staff of the various types of flextime used in both government and private industry. Staff presented a synopsis of the flextime program mandated by the Congress for use by Federal Agencies. Results of this program have been increased

productivity, less absenteeism and tardiness. See Appendix C.

Mrs. Betty Brooks of the Office of State Personnel, Department of Administration, discussed current State employment practices. Mrs. Brooks explained that the present system of flextime began as an experiment in 1973 and became permanent in 1974. The State Personnel Commission has no specific policy on job sharing, which is of interest to the Committee, but has supported the concept. Mrs. Brooks provided the Committee with a synopsis of State Personnel Commission rules and regulations concerning benefits for permanent part-time employees. See Appendix D.

The Committee then discussed the need for a program of retirement benefits and for longevity for part-time employees. Mrs. Linda Powell of the Legislative Fiscal Research Division informed the Committee of the need for an actuarial note for any retirement legislation proposed by the Committee. The Committee directed the staff to obtain information on the number of part-time employees employed by the State for a possible actuarial note.

The second meeting of the Committee on July 24, 1980, was devoted to testimony from various State employers who advocated benefits for part-time employees and a report from the Retirement System on problems with including part-time employees in the system.

Mrs. Lena Brooker of the Department of Natural Resources and Community Development gave the Committee a report on her experiences in a job sharing arrangement. Mrs. Brooker stated that there were many advantages to job sharing, among them are the advantage to a mother of a small child who can:

1. Continue her professional career

2. Continue to earn money on a part-time basis while still caring for her family

3. Be given greater flexibility in working hours.

Mrs. Brooker also informed the Committee of the advantages of part-time employment to the agency. She stated that in her opinion part-time work:

1. Encourages productivity

2. Allows agencies to retain trained professionals at lower cost to the agency.

3. Discourages the use of leave time for personal errands.

Mrs. Brooker stated that it was most important that the department supervisor be in favor of the job sharing or part-time concept since coordination of the program is most important.

In conclusion, Mrs. Brooker stated that the lack of retirement benefits was the greatest barrier to increased use of part-time employees as career employees.

The Committee then heard from Mr. John Brooks, Assistant Personnel Director at North Carolina State University. Mr. Brooks endorsed the use of part-time employees stating that 5% of the work force at North Carolina State University is part-time, and that he had found part-time employment to be an excellent management solution to work schedule problems. Mr. Brooks emphasized that part-time employees used less sick leave and petty leave than full-time employees.

The Committee then heard from Mrs. Ann Reed Dunn, an attorney with the Department of Justice who works four days per week. She has a small child and has to arrange for child care so that she can work. She was very concerned that she was not eligible for retirement

benefits for this time.

Mrs. Martha McKay of the Affirmative Action Office of the Department of Administration informed the Committee that many studies had been done on the increased productivity of part-time employees and that the private sector was making use of part-time employment to reduce layoffs and reduced work hours. Mrs. McKay also stated that there is a need to rethink job classifications to include part-time work for both the handicapped and the aging. These groups of prospective employees are being ignored by the present classification system.

The Committee then heard from Mr. Dennis Ducker, Assistant Director of the Teachers' and State Employees' Retirement System. Mr. Ducker spoke on the benefits presently available to part-time employees, and the problems the Retirement System sees with including less than full-time employees in the Retirement System. Mr. Ducker stated that part-time employees are presently eligible for health benefits if they pay the full cost of these benefits. Mr. Ducker explained the formula for determining a retirement benefit which is service, age and salary, and that part-time employees could inflate their benefit by working part-time for many years and then working four years full-time. Mr. Ducker stated that there will have to be some mechanism for granting proportional service for time actually worked. Mr. Ducker suggested to the Committee that an alternative could be to create a new retirement system solely for part-time employees. This would allow proportional service for time worked and should allow transfer between the Teachers' and State Employees' System and the part-time system.

The Committee made no decision on this proposal at this time and asked that the State Personnel managers be invited to address the

Committee at its next meeting.

The Committee met for the third time on September 18, 1980 to hear the concerns of State Department Personnel Officers and other interested persons.

Mr. Harold Webb, Director of State Personnel, stated that North Carolina had been a leader among the states in implementing flexible work schedules. Mr. Webb addressed several proposals which had been discussed by the Committee:

1. Extension of flextime to 7:00 a.m.. Mr. Webb explained that the need for managers to be on the job to supervise employees had hindered this expansion. He also emphasized the optional nature of the program in that some agencies do not participate due to the special nature of their work.

2. The 30-minute lunch period. The Personnel Commission has not approved this due to additional burdens on management to supervise the program. The Personnel Commission has also received requests for a two-hour lunch period.

3. Job sharing. Mr. Webb supports the Committee's study of this program and stated that longevity and retirement will help increase this program.

The Committee then heard from Mrs. Phyllis Perkins, a school bus driver from Winston-Salem. Mrs. Perkins appeared before the Committee to explain the status of adult school bus drivers. She stated that most school bus drivers are considered "temporary" employees and are not eligible for any benefits. The school bus drivers are asking to be made permanent part-time employees. Mr. Dennis Ducker of the Teachers' and State Employees' Retirement System spoke on the problem of school bus drivers. He stated that some bus drivers are members of the system

if they work full-time. Whether they work full-time is determined by the employing unit of the State. Mr. Ducker stated that this is not actually a retirement problem, but a personnel classification problem.

The Committee then heard from Mrs. Nancy Lambert, Personnel Officer for the Department of Administration. Mrs. Lambert stated that there was a need for part-time employees in clerical, technical and administrative capacities. Additional benefits for these part-time employees would aid the State in recruiting individuals for these jobs, particularly the handicapped and homemakers. The cochairman, Representative Wilma Woodard asked Mrs. Lambert if a coordinator for a work options program would aid the departments and agencies in promoting different work options for State employees. Mrs. Lambert replied that in her opinion it would be most helpful.

Mr. Nathan Yelton, Director of the Division of Aging spoke to the Committee on various problems of the aging. He reported that the fastest growing portion of the population is age 75 and over. Mr. Yelton stated that one of the greatest problems of the aging is lack of income, and that any additional job opportunities made available through part-time work would be helpful.

The Committee then began a discussion of part-time employment and job sharing. One of the suggestions was to begin a program on a State-wide basis for work options, to include flextime, job sharing, reduced work hours and other variations on the standard work schedule.

The Committee decided to appoint a subcommittee to draft legislation to create a Work Options Program for State government with a Work Options Coordinator as an advocate for the program. The Committee requested that any legislation include a provision for a report to the General Assembly on the program after two years. The Committee also

directed the subcommittee to prepare legislation to include part-time employees in the Retirement System, and to allow purchase of prior service as a part-time employee.

The Committee met for the fourth time on November 19, 1980 to discuss the draft legislation for a "Work Options Program for State Employees" and the amendment to the Teachers' and State Employees' Retirement System to allow membership for part-time employees, and the purchase of prior part-time service.

The Committee agreed with the subcommittee draft of the Work Options Program with several changes to allow the State Personnel Commission and the State Personnel Director greater flexibility in administering the program. As established, the State Work Options Program is to provide technical assistance to agencies in formulating an individual agency Work Option Program to promote the use of the various work options available to State employees, and requires a report to the General Assembly after two years. See Legislative Proposal I.

The Committee then considered the draft legislation to include part-time employees in the Teachers' and State Employees' Retirement System. The Committee reviewed the draft legislation by section and asked for comments from Mr. Ed Barnes and Mr. Dennis Ducker of the Retirement System. Mr. Barnes replied that the Retirement System would have great difficulty in administering the law as proposed since there is not a definition of a part-time employee in the draft. Also, the provision for "creditable service" to be pro rata to that of a full-time employee was not clear enough. After discussion of these two problem areas, the Committee directed the staff to work with the Retirement System to clarify the language concerning membership in the

system and report to the Committee at its final meeting.

The Committee met for the fifth and final time on December 11, 1980. The Committee reviewed the draft of retirement legislation with changes made by the staff. The proposed bill provides that all employees of the State are to be members of the Retirement System with the exception of temporary employees and students. The draft also includes all teachers with the exception of temporary or substitute teachers. The draft also provides for the purchase of prior service at the full actuarial cost to the Retirement System to provide the credit. The Committee approved the draft legislation. See Legislative Proposal II. The Committee then approved the draft report to the Legislative Research Commission.

FINDINGS

After having reviewed the information brought forth during its meetings, the Legislative Research Commission's Committee on Alternative Work Schedules makes the following findings:

Finding 1. The Committee finds that there is a need for an expanded program of work options within State government. The Committee has determined that to meet the needs of a growing segment of the presently employed State work force and to attract to State employment the handicapped, the aging and women, who have skills but can or do not wish to work full time, the State must increase the types of employment, part-time employment and other options from the standard work week.

Finding 2. The Committee finds that permanent part-time employees are more productive, use less sick leave and petty leave and are generally more satisfied employees than full-time employees in like situations. The Committee finds that State departments which have used part-time employees have found it an effective management option to increase productivity and improve employee morale.

Finding 3. The Committee finds that to keep and attract qualified part-time employees, to reward long service as a part-time State employee and to give career status to part-time employment, the Teachers' and State Employees' Retirement System should be amended to allow less than full time permanent employees to become members of the Retirement System. The Committee finds that there is a great desire among presently employed part-time State workers for membership in the Teachers' and State Employees' Retirement System and that membership in the Retirement

System will attract a broader section of the work force, particularly women, the handicapped and the aging.

Finding 4. The Committee finds that the State Personnel Commission presently has the authority to extend longevity pay to permanent part-time employees and that providing this benefit to permanent part-time employees would reward those permanent part-time employees who have had long service with the State of North Carolina. The Committee also finds that this benefit will provide an additional incentive for part-time employment.

RECOMMENDATIONS

The Legislative Research Commission's Committee on Alternative Work Schedules, after a review of the information collected by the Committee and in light of its findings, makes the following recommendations:

Recommendation 1. The General Assembly should enact legislation to create a "Work Option Program" for State Employees in the Division of Personnel. The Committee believes that such a program will increase productivity in state offices, reduce costs in many areas where full time work is not required and expand job opportunities to women, the handicapped, the aging and other groups whose expertise is not presently available to the State. (Legislative Proposal I)

Recommendation 2. The State Personnel Commission should by July 1, 1981, adopt rules and regulations extending to permanent part-time employees a longevity pay plan under the same requirements as for permanent full time employees of the State of North Carolina. The Committee believes that the longevity pay plan is a necessary benefit for all permanent State employees and will aid the State in retaining and attracting the most qualified employees.

Recommendation 3. The General Assembly should enact legislation to allow permanent part-time employees to be members of the Teachers' and State Employees' Retirement System. The Committee believes that with the addition of this benefit for permanent part-time employees, the State will provide an incentive for a number of present employees to reduce their working hours and thus reduce costs and increase

productivity. The Committee also believes that providing retirement benefits for permanent part-time work will attract to State employment a portion of the work force which before was not able to work. The Committee also believes that these benefits will allow the State to treat all of its employees more fairly. (See Legislative Proposal II.)

APPENDIX A

LEGISLATIVE RESEARCH COMMISSION MEMBERSHIP

House Speaker Carl J. Stewart, Jr.
Chairman

Representative Chris S. Barker, Jr.

Representative John R. Gamble, Jr.

Representative H. Parks Helms

Representative John J. Hunt

Representative Lura S. Tally

Senate President Pro Tempore
W. Craig Lawing, Chairman

Senator Henson P. Barnes

Senator Melvin Daniels, Jr.

Senator Carolyn Mathis

Senator R. C. Soles, Jr.

Senator Charles Vickery

LEGISLATIVE RESEARCH COMMISSION
Committee on
STATE EMPLOYEES ALTERNATIVE WORK SCHEDULES

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Senator Joseph E. Thomas, Cochairman
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Vanceboro, North Carolina 28586

Representative Wilma Woodard, Cochairman
P. O. Box 183
Garner, North Carolina 27529

Representative Richard W. Barnes
P. O. Box 5825
Winston-Salem, North Carolina 27103

Mrs. Betty Horton
Route 2, Box 371
Wendell, North Carolina 27591

Senator Helen Rhyne Marvin
119 Ridge Lane
Gastonia, North Carolina 28052

Senator William D. Mills
P. O. Box 1238
Swansboro, North Carolina 28584

Ms. Jean F. Stargardt
101 Bern Street
Cary, North Carolina 27511

Senator R. P. "Bo" Thomas
P. O. Box 1398
Hendersonville, North Carolina 28739

WITNESSES APPEARING

Mr. Edwin T. Barnes, Director
Teachers' and State Employees' Retirement System
Raleigh, North Carolina

Mrs. Lena Epps Brooker
Department of Natural Resources and Community Development
Raleigh, North Carolina

Mrs. Betty Brooks
Office of State Personnel
Department of Administration
Raleigh, North Carolina

Mr. John C. Brooks, Assistant Director
Department of Personnel
North Carolina State University
Raleigh, North Carolina

Mr. Dennis D. Ducker, Assistant Director
Teachers' and State Employees' Retirement System
Raleigh, North Carolina

Mrs. Ann Reed Dunn
Assistant Attorney General
Department of Justice
Raleigh, North Carolina

Mrs. Zee Giraldo
Office of State Personnel
Department of Administration
Raleigh, North Carolina

Mrs. Nancy Lambert, Personnel Officer
Department of Administration
Raleigh, North Carolina

Mrs. Martha C. McKay
Office of State Personnel
Department of Administration
Raleigh, North Carolina

Mrs. Phyllis Perkins
School Bus Driver
Forsyth County Schools
Winston-Salem, North Carolina

Mr. Harold Webb, Director
Office of State Personnel
Department of Administration
Raleigh, North Carolina

Mr. Nathan Yelton, Director
Division of Aging
Department of Human Resources
Raleigh, North Carolina

APPENDIX B

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1979
RATIFIED BILL

CHAPTER 997

HOUSE BILL 1066

AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY
ALTERNATIVE WORK.

Whereas, current State employees would benefit from alternative work schedules through better utilization of working hours, reduced tardiness, absenteeism, and fatigue, and improved morale; and

Whereas, North Carolina citizens who cannot work full-time schedules are an untapped, valuable human resource; and

Whereas, many labor economists predict that alternative work schedules will have a desirable impact on unemployment, underemployment, and labor market participation rates of women, the handicapped, and senior citizens; and

Whereas, improved productivity is viewed as a by-product of alternative work schedules; and

Whereas, alternative work schedules allow greater flexibility in shifting personnel to meet fluctuating work loads; and

Whereas, alternative work schedules create a greater ability to recruit more mature and reliable employees whose specialized skills may be unavailable for full-time positions;
Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. The Legislative Research Commission is authorized to study alternative work schedules for State employees and make appropriate recommendations. The recommendations may include proposals for additional benefits for permanent part-time State employees, and increase in the number of permanent part-time State employees in certain classifications, examination of overlapping State personnel positions, and alternative work schedules such as job sharing, a compressed work week, and flex time. "Permanent part-time employment" means a work schedule of at least two days per week or at least fifty percent (50%) and not more than seventy-five percent (75%) of an agency's full-time work schedule. "Job sharing" means the division of the work schedule of a full-time position into two work schedules for two individuals. A "compressed work week" means a four-day work week of forty hours. "Flex time" means a staggered work schedule based on the concentration of work or the supervisor's decision.

Sec. 2. The Legislative Research Commission may report its findings and recommendations to the 1981 General Assembly.

Sec. 3. This act shall become effective July 1, 1979.

In the General Assembly read three times and ratified,
this the 8th day of June, 1979.

JAMES C. GREEN

James C. Green

President of the Senate

CARL J. STEWART, JR.

Carl J. Stewart, Jr.

Speaker of the House of Representatives

APPENDIX C

Abortion. Treen said his anti-abortion amendment, approved Sept. 6 by a 234-131 vote, was necessary because abortion "is not a civil rights matter." (*Vote 638, p. 182-H*)

"...No one denies that, unfortunately, minorities are disproportionately represented among the poor. But that analysis surely does not authorize the commission to appraise every law . . . that may impact poor persons," Treen said.

Opponents said the commission should at least be allowed to study the effect of federally funded abortions on the poor to determine if the laws provide or deny equal protection.

Amendments Rejected. The House on July 28 defeated an effort by Butler to delete the provisions authorizing the commission to study age and handicap discrimination. His amendment was rejected 87-224. (*Vote 539, p. 154-H*)

Also rejected, by voice vote Sept. 6, was an amendment by Paul N. McCloskey Jr., R-Calif., to limit the extension to three years, as in the Senate bill.

After passing HR 12432, the House substituted it for S 3067 and passed the Senate bill.

Provisions. As passed by the House, S 3067 authorized \$12.8 million for fiscal 1979 and \$14 million for fiscal 1980, an increase of \$5.2 million over the commission's request for the two-year period, to cover expenses associated with its new responsibilities concerning age and handicap discrimination.

Conference, Final Action

The conference report was filed (H Rept 95-1626) Sept. 25. Approval came on non-record votes. First the House and then the Senate adopted the report Sept. 28.

Abortion Studies. Despite its expanded jurisdiction, the commission was slated to operate under at least one significant new restraint. Conferees agreed to retain a House provision barring the commission from studying or recommending any action on abortion.

Sponsors of the extension argued that the commission had operated within its jurisdiction in researching and reporting a study on the "Constitutional Aspects of the Right to Limit Childbearing," the only study of abortion in the commission's 21-year existence.

But House conferees argued that because of the 234-131 House vote in favor of the anti-abortion amendment, it was unlikely the conference report would be adopted were the provision deleted.

Lobbying. Conferees also agreed to a House provision that prohibited the commission from lobbying Congress or state and local governing bodies. The import of this provision remained unclear because the conference report suggested: "The managers agree that the commission is not now nor has it ever been authorized to lobby and is (*sic*) confident that appropriate administrative and or criminal remedies are available to prevent such abuses."

Other Provisions. Conferees agreed to adopt the House bill's five-year extension, rather than the Senate's three-year extension as part of a compromise retaining the Senate's open-ended authorization proposal. Senate language provided "such sums as are necessary" to carry out the commission's functions for one year. The House version had called for authorizations of fixed amounts for fiscal 1979 and 1980, totalling \$26.7 million.

Conferees also agreed to require at least one advisory committee in each state, and to allow the commission to create additional voluntary committees where necessary. ■

'Flexitime' Bill Cleared

The Senate passed and cleared for the president Sept. 15 a bill authorizing a three-year experiment in flexible and compressed work schedules for federal agencies and their employees (PL 95-390).

HR 7814 required the Civil Service Commission to establish a voluntary program in selected executive agencies and military departments to test the effect of flexible hours on employees and their families, the efficiency of government operations, mass transit and energy consumption and federal government employment opportunities.

"Flexitime" would require employees to be present during core hours, for example 11 a.m. to 6 p.m., but would let them choose quitting and starting times before and after core time.

Compressed time requiring 80 hours of work spread over fewer than 10 work days in a two-week period would permit experiments with four-day work weeks.

For such experiments, the bill suspended regulations requiring premium pay for work after 6 p.m. or in excess of eight hours a day or 40 hours a week.

HR 7814 was also an amendment to HR 11280, the Civil Service Reform bill passed by the House Sept. 13. Rep. Stephen J. Solarz, D-N.Y., sponsor of the flexitime bill, succeeded in attaching it to HR 11280 through a voice vote. Solarz said HR 7814 was stalled in the Senate and was unlikely to pass in 1978 unless it was attached to another bill. (*Civil Service reform, p. 818*)

A House Post Office and Civil Service subcommittee staff member said that the Solarz amendment was withdrawn by House conferees Sept. 18. But Solarz's office said he had "a commitment from the leadership of the House conferees" to retain the amendment until the president signed HR 7814. President Carter signed the bill in a law Sept. 29.

Provisions

As approved by Congress, major provisions of HR 7814:

- Required the Civil Service Commission to establish an experimental program involving a sufficient range and number of executive branch positions to evaluate flexible schedule effectiveness.
- Suspended regular overtime provisions of federal law for the experiment and provided for special computation of overtime and premium pay.
- Limited the experiment to three years from the effective date of Oct. 1, 1978, or 180 days after enactment, whichever was later.
- Allowed agencies not selected for the experiment to opt for flexible schedule programs.
- Allowed agencies to request exemption from the experiment and to request termination of a disruptive flexible schedule.
- Allowed agency heads to restrict employees' choice of arrival and departure times, exclude certain employees or groups of employees from the experiment and restrict the use of flexible hours.
- Allowed employees to request exemption from a program that created personal hardships.
- Required that employee participation be voluntary and approved by employee organizations or by a majority of workers in a unit without an organization.

• Prohibited coercion of employees in choosing whether to participate, what hours to work and whether to choose compensatory time or payment for overtime hours worked.
 • Allowed employees to work overtime rather than taking leave to compensate for absences for religious observances.

House Committee Action

The Post Office and Civil Service Committee Jan. 25 voted 23-1 to report HR 7814 (H Rept 95-912). The committee noted the success of private sector flexible hour programs involving between 1.5 million and 2.2 million workers and the results of similar federal programs that have included 90 government units and about 164,000 workers.

Those results warranted the three-year experiment to see if flexitime would work government-wide, said the report.

"The evidence presented at hearings of the Subcommittee on Employee Ethics and Utilization on the Federal flexible work hours programs indicated that thus far, they have produced a range of positive benefits and the problems that arise are not unresolvable," the committee report said. Any difficulties, it said, resulted from poor planning.

Rep. Edward J. Derwinski, R-Ill., representing administration views, filed a dissenting opinion against the bill's requirement that all executive agencies have a flexitime program.

House Floor Action

The House May 25 approved HR 7814, 288-57. It had failed March 13 to receive two-thirds approval needed for passage under suspension of the rules. (*Passage, vote 332, p. 92*; *filed suspension, vote 105, p. 32-H*)

Proponents argued that flexible hour experiments resulted in improved employee morale and productivity, decreased tardiness and sick leave, energy savings from employee travel at non-peak traffic periods and opportunities for those with restricted hours to enter the work force.

Opponents said the flexible schedules would aggravate the public image of government employees as specially privileged and would encourage moonlighting. They objected to a provision they said would allow employee unions to negotiate hours under the experiment.

The House adopted by voice vote a compromise amendment by Solarz and Derwinski giving agencies not selected by the Civil Service Commission for the experiment a choice of whether to have a flexitime program. A second Solarz amendment adopted by voice vote allowed employees to work overtime rather than taking leave to compensate for time off for religious observances.

"Flexitime is one of those ideas which benefits virtually everyone and harms practically no one," Solarz said.

An amendment by Richard C. White, D-Texas, to strike a requirement that flexitime hours accord with any union contracts was defeated, 9-20, by a non-record division vote.

White said he didn't want to give employee unions the statutory right to negotiate flexitime hours. Opponents of the amendment said the unions were granted that right in a 1962 executive order by President John F. Kennedy and that statutory precedent was set in the 1970 Postal Reorganization Act (PL 91-375). (*Postal Reorganization, 1970 Almanac p. 341*)

Senate Action

The Senate Human Resources Committee Aug. 23 voted unanimously to report a companion bill, S 517 (S Rept 95-1143). The bill was reported 10-1 out of the Governmental Affairs Committee July 24. Ted Stevens, R-Alaska, the lone objector, "wanted to make sure employees could vote before the system was implicated," an aide to the Governmental Affairs Committee said. She added that Stevens voted for HR 7814 on the floor.

S 517 would have delayed implementation of the flexitime experiment until six months after it had been signed into law, as opposed to the three-month period provided in HR 7814.

S 517 was indefinitely postponed after its House counterpart was passed. The Senate passed HR 7814 without amendment by voice vote.

Part-Time Careers Bill

A bill easing requirements for hiring part-time federal workers — but not until fiscal 1981 — was signed into law by President Carter Oct. 10.

The bill (HR 10126 — PL 95-437) made it easier for federal agencies to hire workers for up to 32 hours a week. Previous law set the federal workweek at 40 hours, divided into eight-hour days. A related measure signed into law allowed "flexitime" working-hour experiments as well. (*Flexitime bill, above*)

The bill "will help us tap the energies and talents of people who, for various reasons, are unable to work full time," Carter said. "Along with the recently enacted 'flexitime' bill, this legislation will provide more flexible — and more productive — working arrangements for federal employees."

As reported by the House Post Office and Civil Service Committee (H Rept 95-932), HR 10126 allowed federal agencies to designate vacant posts that were best filled by part-time arrangements.

The bill prohibited any agency chief from abolishing an occupied full-time post to convert it to part-time status. It also barred agencies from requiring employees to switch to part-time work or lose their jobs. Positions covered by labor union contracts with the government, where the contract fixed the workweek, were not covered. Also exempt were positions of grade GS-16 and above — the Senior Executive Service posts of Carter's civil service reform bill.

The Congressional Budget Office estimated that the bill would add 3,000 part-time employees a year for four years beginning in fiscal year 1979. The CBO estimated the additional cost at \$23,678,600 for fiscal years 1979-82.

The House passed HR 10126 by a 294-84 vote on March 13. (*Vote 106, p. 32-H*)

Before passing the measure by voice vote Aug. 25 the Senate delayed its implementation until Oct. 1, 1979. A similar bill, S 518 (S Rept 95-1116) was postponed indefinitely. Before clearing HR 10126 for the president Sept. 26, the Senate agreed to a House amendment further delaying its effects until Oct. 1, 1980.

The Senate report on the bill said that "the enactment of part-time legislation would authorize the federal government to undertake some very significant initiatives to enhance its position as a model employer...."

APPENDIX D

CHAPTER 126
STATE PERSONNEL SYSTEM

As amended effective July 1, 1978

(Changes made in existing law by 1977 and 1978 amendments appear in italics)

ARTICLE 1
STATE PERSONNEL SYSTEM ESTABLISHED

"126-1. Purpose

It is the intent and purpose of this Chapter to establish for the government of the State a system of personnel administration under the Governor, based on accepted principles of personnel administration and applying the best methods as evolved in government and industry. It is also the intent of this Chapter that this system of personnel administration shall apply to local employees paid entirely or in part from federal funds, except to the extent that local governing boards are authorized by this Chapter to establish local rules, local pay plans, and local personnel systems.

"126-2. State Personnel Commission

- (a) There is hereby established the State Personnel Commission (hereinafter referred to as 'the Commission').
- (b) The Commission shall consist of seven (7) members who shall be appointed by the Governor on July 1, 1965, or as soon thereafter as is practicable. Two members of the Commission shall be chosen from employees of the State subject to the provisions of this Chapter; two members shall be appointed from a list of individuals nominated by the North Carolina Association of County Commissioners; two members shall be individuals actively engaged in the management of a private business or industry; and one member shall be appointed from the public at large. Of the initial members of the Board, two shall be appointed to serve for terms of two years, two shall be appointed to serve for terms of four years, and three shall be appointed to serve for terms of six years. Their successors shall be appointed by the Governor for terms of six years. Any vacancy occurring prior to the expiration of a term shall be filled by appointment for the unexpired term.
- (c) Members of the Commission appointed after February 1, 1976 shall be appointed subject to confirmation by the General Assembly of North Carolina. If the General Assembly is not in session when an appointment is made, the appointee shall temporarily exercise all of the powers of a confirmed member until the convening of the next legislative session. If the General Assembly does not act on confirmation of a proposed member within 30 legislative days of the submission of the name, the member shall be considered confirmed. If the Governor does not appoint a new member within 60 calendar days of the occurrence of a vacancy or the rejection of an appointment by the General Assembly, the remaining members of the Commission shall have the authority to fill the vacancy.

- (d) The Governor may at any time after notice and hearing remove any Commission member for gross inefficiency, neglect of duty, malfeasance, or non-feasance in office.
- (e) Members of the Commission who are employees of the State subject to the provisions of this Article shall be entitled to administrative leave without loss of pay for all periods of time required to conduct the business of the Commission.
- (f) Four members of the Commission shall constitute a quorum.
- (g) The Governor shall designate one member of the Commission as chairman.
- (h) The Commission shall meet quarterly, and at other times at the call of the chairman.

"126-3. Office of State Personnel Established; Administration and Supervision; Appointment, Compensation and Tenure of Director

There is hereby established the Office of State Personnel (hereinafter referred to as 'the Office') which shall be placed for organizational purposes within the Department of Administration. Notwithstanding the provisions of North Carolina State Government Reorganization as of January 1, 1975, and specifically notwithstanding the provisions of Chapter 864 of the 1971 North Carolina Session Laws (Chapter 143A), the Office of State Personnel shall exercise all of its statutory powers in this Chapter independent of control by the Secretary of Administration and shall be under the administration and supervision of a State Personnel Director (hereinafter referred to as 'the Director') appointed by the Governor and subject to the supervision of the Commission for purposes of this Chapter. The salary of the Director shall be fixed by the Governor subject to the approval of the Advisory Budget Commission. The Director shall serve at the pleasure of the Governor.

"126-4. Powers and Duties of State Personnel Commission

Subject to the approval of the Governor, the State Personnel Commission shall establish policies and rules governing each of the following:

- (1) A position classification plan which shall provide for the classification and reclassification of all positions subject to this Chapter according to the duties and responsibilities of the positions.
- (2) A compensation plan which shall provide for minimum, maximum, and intermediate rates of pay for all employees subject to the provisions of this Chapter.

- (3) For each class of positions, reasonable qualifications as to age, character, physical condition, and other attributes pertinent to the work to be performed.
- (4) A recruitment program to attract applicants to public employment and determine the relative fitness of applicants for the respective positions.
- (5) Hours and days of work, holidays, vacation, sick leave, and other matters pertaining to the conditions of employment.
- (6) The appointment, promotion, transfer, demotion, and suspension.
- (7) Cooperation with the Department of Public Instruction, the State Board of Education, the Board of Higher Education, and the colleges and universities of the State in developing pre-service and in-service training programs.
- (7A) The separation of employees.
- (8) The evaluation of employee performance, the granting of salary increments, and a program of meritorious service awards.
- (9) The investigation of complaints and the hearing of appeals of applicants, employees, and former employees and the issuing of such binding corrective orders or such other appropriate action concerning employment, promotion, demotion, transfer, discharge, and reinstatement in all cases as the Commission shall find justified. *'Reinstatement' as used in this subdivision refers to the reemployment of a former State employee who separated from service in good standing.*
- (10) Such other programs and procedures as may be necessary to promote efficiency of administration and provide for a fair and reasonable system of personnel administration.
- (11) In cases where the Commission finds discrimination or orders reinstatement or back pay whether (i) heard by the Commission or (ii) appealed for limited review after settlement or (iii) resolved at the agency level, the assessment of reasonable attorneys' fees and witnesses' fees against the State agency involved.
- (12) The appointment of hearing officers to hear appeals at various locations around the State as provided for in Article 3 of Chapter 150A, and the relationship of the record made by such hearing officers to proceedings by the Commission.
- (13) The employment of independent attorneys to represent the Department when some conflict would result from using Department of Justice attorneys.

* WORK SCHEDULE

The standard workweek for employees subject to the Personnel Act is forty hours per week. The normal daily work schedule is based on nine consecutive hours occurring between 7:30 a.m. and 6:00 p.m., which includes one hour for lunch. Because of the nature of the various State activities, some positions require a workweek of more than five days. The normal daily work schedule shall not apply to educational, hospital and similar institutions with schedules geared to round-the-clock service unless they elect to adopt it.

Normal Daily Work Schedule

It is the policy of State government that, in agencies utilizing the normal daily work schedules, employees be allowed to choose a daily work schedule which, subject to agency necessities, is most compatible with their personal needs; this shall be referred to as a variable work schedule. Supervisors are responsible for arranging operating procedures that are consistent with the needs of the agency and the public it serves, and at the same time can accommodate, as far as possible, the employee's choice of his daily work schedule within the established limits. If any adjustments of employee work schedules are necessary, this should be done as fairly and equitably as possible.

Choices Employees May Make

1. An employee may start work any time between 7:30 a.m. and 9:00 a.m. The lunch hour will be scheduled to meet the needs of each particular unit. The departure time for the employee is nine hours after the scheduled time to start work, occurring between 4:30 p.m. and 6:00 p.m.
2. An employee who arrives later than he is scheduled, but before 9:00 a.m., may be permitted to make up the deficit by working that much longer in the afternoon if this is consistent with the work needs of the agency. Otherwise, the tardiness shall be charged to the appropriate leave category. Supervisors shall be responsible for taking appropriate action to correct any abuse or misuse of this privilege.

Limitations

1. Any employee reporting for work after 9:00 a.m. must charge that amount of time past 9:00 a.m. to the appropriate type of leave (petty, compensatory, sick, or annual).
2. When an employee enters the building in which his work station is located, he shall report directly to work if it is his scheduled time. If he is early he may with his supervisor's permission, begin work at that time (if it is 7:30 a.m. or later) and leave at a correspondingly early hour in the afternoon; otherwise he shall wait in a designated area away from where other employees are at work.
3. No employee may leave work before 4:30 p.m. without permission; the time between his actual departure and his scheduled departure shall be charged to the appropriate type of leave (petty, compensatory, sick or annual).
4. An employee may not work later than 6:00 p.m. unless scheduled by his supervisor due to workload.

Implementation and Maintenance

1. Prior to the initiation of the variable work schedule each employee shall be given detailed information about the purpose of and specific procedures for implementation and maintenance of the schedule.
2. Each employee shall indicate the starting time he has selected; this determines both his starting and departure times. The starting time may be any specific point in time between 7:30 a.m. and 9:00 a.m.
3. Each supervisor shall compile a record of the work schedules for all subordinates. These schedules shall also be submitted to the agency personnel officer.
4. Agency administrators shall be responsible for providing adequate supervision for each work unit during the hours employees are scheduled to work. This can be accomplished by sharing or by delegation of authority of supervisors.
5. Three months after a flexible work schedule has been established there shall be an "open selection period" during which each employee is given the opportunity to change his choice of work schedules. Thereafter, an "open selection period" shall be held at least every twelve months.

6. If an employee needs to change his work schedule at a time other than during an "open selection period" this shall be permitted if the supervisor can arrange the workload so that this change is not detrimental to the functioning of the unit.
7. Each new employee shall be given detailed information about the variable work schedule, and given the opportunity to select the schedule he prefers prior to reporting for work. Work schedules are to be associated with individuals and not with positions, with the exception that there may be positions which must be filled on some predetermined schedule. In these exceptional cases, applicants shall be informed of this predetermined schedule prior to any offer and acceptance of employment.

*Adverse Weather Conditions

In the event of adverse weather conditions, state offices will remain open and the policy for charging leave outlined on page 4-5.1 will apply where the nature of the operation makes it possible. It is recognized that agencies providing essential services in health and safety will need to modify the policy in order to maintain adequate services to the public.

** Hours of Work Due To Time Change

When the time is changed from Eastern Standard Time to Daylight Savings Time, employees working during this interval only work seven (7) hours rather than eight (8) hours. The employees must be held accountable for the hour that no work is performed. The time may be charged to (1) petty leave, (2) annual leave, or (3) the employee may be allowed to make up the time within a reasonable length of time if it can be worked out satisfactorily with the immediate supervisor.

When the time changes from Daylight Savings Time to Eastern Standard Time, employees on duty at this change actually work a 2 hour shift rather than the usual 8-hour shift. The state, under the Wage and Hour Law, must compensate for this additional hour. In cases where the employees work in excess of 40 hours for the week, this must be compensated for at one and one-half times the regular rate during the pay period.

EMPLOYMENT OF THE MENTALLY RETARDED

It is the policy of state government to support and encourage employment of mentally retarded persons in state government jobs, where such persons meet necessary requirements to perform the required duties of the position and where such employment may be accomplished without detriment to the employee or to the state service.

Mentally retarded applicants considered for employment shall be recommended as eligible for placement by the Division of Vocational Rehabilitation, Department of Human Resources. Completion of an approved training center or workshop program applicable to the position applied for may be substituted for the class specification requirements for education and training.

LIMITATION OF POLITICAL ACTIVITY

State law provides: As an individual, each employee retains all the rights and obligations of citizenship provided in the Constitution and laws of the State of North Carolina and the Constitution and laws of the United States of America; however, no employee subject to the Personnel Act shall: (1) take any active part in managing a campaign, or campaign for political office or otherwise engage in political activity while on duty or within any period of time during which he is expected to perform services for which he receives compensation from the state; (2) otherwise use the authority of his position, or utilize state funds, supplies or vehicles to secure support for or oppose any candidate, party, or issue in a partisan election involving candidates for office or party nominations, or affect the results thereof.

No state employee or official shall use any promise of reward or threat of loss to encourage or coerce any employee subject to the Personnel Act to support or contribute to any political issue, candidate, or party.

Employees in federally aided programs are also subject to the Federal Hatch Political Activities Act, as amended, 5 U.S.C. 1501-1508.

Failure to comply with this Article is grounds for disciplinary action which, in case of deliberate or repeated violation, may include dismissal or removal from office.

QUALIFICATIONS

The employee or applicant must possess at least the minimum education and experience requirements, or their equivalent, as set forth in the class specification of the position to which certification is made. This shall apply in cases of new appointments, promotions, demotions, transfers, and reinstatements. Exceptions: (1) If an employee is demoted to a position in the same field of work, he is automatically qualified for the lower class. (2) If an employee is reinstated without a break in service to a position of the same class or to a lower class in the same field of work, he is automatically qualified.

The education and experience statements serve as indicators of the possession of identified skills, knowledges, and abilities and as guides to primary sources of recruitment; reasonable substitutions of formal education and job-related experience, one for the other, will be made. It is recognized that a specific quantity of formal education or number of years experience does not always guarantee possession of the identified skills, knowledges, and abilities for every position in a class. Qualifications necessary to perform successfully may be attained in a variety of combinations. Management is responsible for determining specific job-related qualifications that are an addition to minimum standards; such qualifications must receive prior approval of the State Personnel Director. Management shall be responsible for any adverse effects resulting from the use of selection standards that have not been established or approved by the State Personnel Director.

APPOINTMENTS

An appointment is the approval or certification of an applicant or employee to perform the duties and responsibilities of an established position subject to the provisions of the State Personnel Act. The selection and appointment of all personnel into classified state service shall be made by the head of the agency subject to final approval of the State Personnel Director.

Types of Appointments and Duration

- ** 1. *Probationary* - Individuals receiving original appointments to permanent positions must serve a probationary period. The probationary period is an extension of the selection process, and provides the time for effective adjustment of the new employee or elimination of those whose performance will not meet acceptable standards. The maximum length of the probationary period shall be not less than three nor more than nine months of either full-time or part-time employment. Satisfactory service during a probationary, provisional, temporary, trainee or special emergency appointment in a competitive service agency may constitute part or all of the probationary period. Employment in an intermittent, summer, or emergency appointment may not be credited toward the probationary period.
- ***
- ** 2. *Trainee* - A trainee appointment may be made to a permanent position in any class for which the specification includes special provisions for a trainee progression leading to regular appointment.

The trainee appointment, like the probationary period, is also an extension of the selection process, and provides the time for effective adjustment of the new employee or elimination of those whose performance will not meet acceptable standards.

- ** 3. *Permanent* - An appointment to a permanently established position when the incumbent is expected to be retained in the position on a permanent basis.

*Effective November 1, 1975

**Revised Effective August 1, 1978

***Revised Effective January 1, 1979

(over)

- *4. *Temporary* - An appointment for a limited term, normally not to exceed three to six months, to a permanent or temporary position. When sufficiently justified, a longer period of time may be requested; but in no case shall the temporary employment period exceed twelve consecutive months.
5. *Permanent part-time* - An appointment to a permanent part-time budgeted position on a continuing basis for as much as half-time.
- *6. *Temporary part-time* - An appointment of less than full-time for a limited term normally not to exceed three to six months. When sufficiently justified, a longer period of time may be requested; but in no case shall the temporary employment period exceed twelve consecutive months.
7. *Intermittent* - An intermittent appointment may be made to positions needed only for intermittent periods of time. For positions under competitive service appointment may be made, without regard to a register, of a person who has worked at least three months in the class in which intermittent appointment is to be made and who had permanent, probationary, or temporary status in the class at the time of separation. In lieu of this, a register of eligibles may be established on an open-competitive basis and certification made in the same manner as for probationary appointment. The intermittent service of an individual shall not exceed a total of nine months during any continuous twelve-month period, except during extreme emergencies when such periods of time shall be extended for the duration of the emergency. Such duration of time shall be at the discretion of the State Personnel Director, retroactive to April 11, 1975.
8. *Pre-Vocational Student* - This is an appointment of a temporary nature to be used to enable students to gain practical knowledge of and further prepare for the particular occupational area. A suitable plan for training under close supervision must be developed for the individual.

The following appointments apply to positions under competitive service:

9. *Provisional* - An appointment to a position under competitive service made in the absence of an appropriate register, which appointment is subject to qualification through examination and which may not continue for more than thirty days after a register is established.
10. *Summer Appointments to Manpower and Poverty Programs* - Individuals may be appointed without status to temporary summer positions, with maximum duration of twelve weeks, in manpower and poverty programs. An appropriate salary shall be determined by the Office of State Personnel. These appointments are not intended to lead to regular employment with the agency concerned.

* Revised Effective December 1, 1978

LEAVE

Absences from work during scheduled working hours shall be charged to the appropriate leave account of the employee. Administration of the leave program within the scope of established policy shall be the responsibility of the agency head.

Annual Leave

1. *Amount Earned* - A full-time permanent, probationary, or provisional employee who is working or on paid leave for one-half or more of the regularly scheduled workdays in any month earns annual leave. The rate is based on the length of aggregate state service.

The majority of state employees are scheduled to work eight hours per day. Since there are other schedules in existence due to the nature of the work, the annual leave rates are stated in terms of hours rather than days; this requires no conversion for special schedules. Annual leave for employees shall be computed at the following rates:

<u>Years of Aggregate State Service</u>	<u>Hours Earned Each Month</u>	<u>Hours Earned In One Year</u>
Less than 2 years	6 hours 40 minutes	80
2 but less than 5 years	8 hours	96
5 but less than 10 years	10 hours	120
10 but less than 15 years	12 hours	144
15 but less than 20 years	14 hours	168
20 years or more	16 hours	192

Exception: Employees appointed prior to July 1, 1973 to a position subject to the State Personnel Act shall earn no less than 10 hours annual leave each month; this rate represents the state policy in effect at the time these persons accepted state employment. After completing five years of state service annual leave for these employees will then be computed from the above table.

A part-time permanent, probationary, or provisional employee who is employed on a continuing basis with a permanent part-time appointment in a budgeted position for as much as half-time shall earn annual leave on a pro rata basis if he works one-half or more of the scheduled work days in a month. The leave shall be computed as a percentage of total amount earned by a full-time employee.

For leave policies relating to employees exempt from the Personnel Act, (except academic personnel), see the Budget Methods and Accounting Procedures Manual.

2. *Maximum Accumulation*

- * (a) Annual leave may be accumulated without any applicable maximum until December 31 of each calendar year. However, if the employee separates from service, payment for accumulated annual leave shall not exceed 240 hours. On December 31 any employee with more than 240 hours of accumulated leave shall have the excess accumulation cancelled so that only 240 hours are carried forward to January 1 of the next calendar year.
- * (b) Employees are cautioned not to retain excess accumulation of annual leave until late in the calendar year; due to the necessity to keep all agency functions in operation, large numbers of employees cannot be granted annual leave at any one time. If an employee has excess leave accumulation during the latter part of the year and is unable to take such leave because of staffing demands, the employee shall receive no special consideration either in having annual leave scheduled or in receiving any exception to the maximum accumulation allowed as of December 31.

* Revised Effective 1-1-78

APPENDIX E

Part-Time Employees Subject to the State Personnel Act
October 19, 1979

Permanent Part-Time Employees	1,347
Temporary Part-Time Employees	<u>101</u>
Total	1,448

Status of positions filled by part-time employees:

Permanent Full-Time positions	648
Permanent Part-Time positions	798
Exempt Full-Time	<u>2</u>
Total	1,448

October, 1979
rcw

APPENDIX F

ALTERNATIVE WORK SCHEDULES SURVEY

12/79

Do you work either from 8:30 to 5:30 or 8:00 to 5:00?

Is your job a part of flextime?

If yes, when do you report for work? 7:30 8:00 8:30 9:00 Other
If no, would you like for your job to be on flextime?

Do you work shifts or work schedule different from those above?

If yes, what?

Would you suggest alternatives to this schedule?

If yes, what?

Would you like a 10-hour 4-day workweek?

If yes, which day would you like to be off?

Is there a work schedule not mentioned which you would like?

If yes, what?

ARE YOU A PERMANENT PART-TIME EMPLOYEE?

IF YES, PLEASE ANSWER THE FOLLOWING QUESTIONS.

Would you like to be a member of: (A) the State Retirement System?

(B) the health insurance plan for State employees?

Do you think part-time employees should receive longevity pay based on actual length of time in State service?

What is your job title or field of work?

Is your position a "job sharing" situation where you work part-time and another employee works part-time in the same job doing the same job duties?

Answer other side first

If you are a permanent full-time employee, would you like a permanent part-time position instead?

IF What classification or field of work would interest you most?

YES What hours (such as half time, 8:00 until 12:00, etc.)? Specify

IF Would you be interested in permanent part-time work if benefits such as retirement and health insurance were available?

NO

Please feel free to add your comments or suggestions. Attach extra paper if needed. Thank you for your help.

SEND REPLIES TO:

MRS. SHIRLEY L. BARDEN
EMPLOYEE RELATIONS DIVISION
N. C. OFFICE OF STATE PERSONNEL
116 WEST JONES STREET
RALEIGH, N. C. 27611

Summary of Alternative Work Schedules

26,300 Responses*

1. Do you work either from 8:30 to 5:30 or 8:00 to 5:00?
Yes - 9,835

2. If your job is covered by the flexible work schedule, at what time do you report?

7:30 - 7:45 a.m.:	3,074
8:00 - 8:15 a.m.:	4,316
8:30 - 8:45 a.m.:	1,002
9:00 a.m.:	159
	<u>8,551</u>

3. Do you work on a shift at a time other than during the day?
Yes - 5,383

4. If not covered by the flexible work schedule, would you like to be?
Yes - 2,021

5. What alternate work schedule would you like to have (other than the flexible work schedule)?

30 minutes for lunch	- 506
No lunch time	- 32
7:00 a.m. starting time	- 431
Alternate 4-day, 5-day work weeks	- 3
Four day work week	- 54
35 hour work week	- 13
No set reporting time	- 2

6. Would you like a 10-hour 4-day work week?
Yes - 3,385
No - 5,472

Friday was indicated as, by far, the most preferable day off.

7. If you are a permanent full-time employee, would you like a permanent part-time position?
Yes - 834
No - 21,822

*Many responses were not complete; in some cases only one question was answered.

Alternative Work Schedules Survey
308 Responses

7. Would you like to be a member of: (A) the State Retirement System?
Yes - 191
No - 39
- (B) the health insurance plan for State employees?
Yes - 169
No - 32

8. Do you think part-time employees should receive longevity pay based on actual length of time in State service?
Yes - 291
No - 4

9. What is your job title or field of work:

Secretary III - 27	Receptionist - 2
Clerk Typist - 2	Secretary - 32
Data Entry Op. - 3	Administrative Secretary - 5
Secretary IV - 12	Licensed Physical Thera. Asst. - 1
Clerk Typist - 9	Data Processing Coord. - 2
Clerk Typist III - 22	Greenhouse Worker - 1
Editorial Assistant - 9	Corrections - 1
Teacher's Aide - 19	Animal Lab. Tech. - 1
Lab Helper - 1	Vet. Tech. II - 1
Steno Clerk - 3	Computer Prog. - 9
Clerk Typist II - 20	Information Specialist - 1
Clerk - 6	Cryogenics Tech. - 1
Social Research Assoc. - 5	Admissions Secretary - 2
Research Assoc. I - 4	Registered Nurse - 1
Psychoeducational Therapist - 3	Nurse, P. H. - 2
Research Aide - 4	Janitor - 1
Administrative Asst. 3	Personnel Asst. - 2
Relief Drawbridge Op. - 1	Employment Interviewer - 1
T. V. Producer/Director - 1	Commodity Grader - 1
Training Coord. - 1	Media Tech. -
Research Tech. - 3	Tape Librarian - 1
Agricultural Research Tech. - 1	Medical Research Tech. - 1
Typist - 2	Keypunch Operator - 1
Library Asst. - 9	Medical Secretary - 1
Accounting Tech. - 6	Engineer Tech. -
Cashier - 1	Unit Nurse - 1
Chaplain - 1	Dental Hygienist - 1
Messenger - 2	Dept. Budget Clerk - 1
Nursing Asst. - 1	Music & Record Cataloger - 1
Recreational Aide - 1	Nursing - 1
Evaluation Consultant - 1	Physician - 1
Analyst Programmer - 1	Revenue - 1

10. Is your position a "job sharing" situation where you work part-time and another employee works part-time in the same job doing the same job duties?
Yes - 28
No - 255

APPENDIX G

Two for the price of one

In job sharing, partners split work, pay

Los Angeles Times/Washington Post News Service

SAN FRANCISCO — At Kaiser-Permanente Medical Center in nearby Oakland, Dr. O'Keefe is on duty five days a week. But on three of those days it is Dr. Mary O'Keefe. On the other two, it is Dr. Helen O'Keefe.

The O'Keefes are anesthesiologists — and sisters — who share a permanent, full-time position at the hospital. Both are married and the mothers of three and four children, respectively. While one is at the hospital, the other manages the children. Their professional pursuits blend easily with their domestic responsibilities.

"I'm her 'other half' and vice versa," Mary O'Keefe explained. "We've found it's a reasonable way to keep your hand in the profession and have time for a family. It's given us the best of both worlds."

The two women present the classic case of job sharing, an alternative to the traditional 40-hour week that is gaining increased attention as a changing labor force makes new demands.

Simply stated, job sharing is two people dividing one permanent, full-time job by the hour, day or week, according to mutual convenience. Salaries are split and benefits divided proportionately. Job sharers, in contrast to other part-timers, work cooperatively with each other. Indeed, as job seekers, they often approach employers as a team.

The phenomenon has grown as the work force — with more and more women — has become more diversified and attracted more part-time workers. According to the Department of Labor, more than 20 million people — about one-fifth of those employed — work fewer than 35 hours a week. In turn, about one-fifth of those part-time workers share their jobs, one recent survey found.

The concept is drawing government support across the nation. By one count, 11 states, along with the federal government, have passed legislation that sanctions job sharing among public employees.

Job sharing appeals especially to career-minded people who, because of such obligations as child rearing, find that they do not want to work full time.

Similarly, older employees see the shared jobs as a means to ease toward retirement. And, as unemployment grows, others quite logically see job sharing as a desirable alternative to a layoff — even at a lesser salary.

Its supporters say that it is the wave of the future, offering the flexibility employees want without reducing the productivity that employers want.

"Job sharing is part of what the work place of the '80s will look like," said Barney Olmstead, co-director of New Ways to Work, A San Francisco-based nonprofit organization supported by grants from the Carnegie, Ford and Rockefeller foundations.

"The changing nature of the work force and diverse lifestyles all point toward the need for new options," Olmstead noted.

Whatever its attractions, there is still resistance to job sharing — not only among employers worried about benefit costs and administrative headaches, but also from unions that see it as a means of exploiting the work force.

APPENDIX H

INTRODUCED BY:

Referred to:

1 A BILL TO BE ENTITLED AN ACT TO ESTABLISH A WORK OPTIONS PROGRAM
2 FOR STATE EMPLOYEES.

3 The General Assembly of North Carolina enacts:

4 Section 1. A new "Article 12" is added to Chapter 126
5 of the General Statutes to read:

6 "Article 12

7 "Work Options Program for State Employees

8 "§126-69. Work Options Program Established.

9 There is established a Work Options Program for State Employees
10 in the Division of State Personnel to be administered by the
11 State Personnel Commission. The State Personnel Director shall
12 assign an employee within the Division of State Personnel, to
13 be known as the State Work Options Coordinator, to direct the Work
14 Options Program as established in this Article.

15 "§126-70. Work Options for State Employees.

16 (a) The following work options allowed State employees are
17 to be included in the program administered under this Article:

18 (1) Flexible work hours as established by the State
19 Personnel Commission;

20 (2) Job sharing as permitted by the State Personnel
21 Commission;

22 (3) Permanent part-time positions as established under
23 the State Personnel Act; and

24 (4) Temporary positions as established under the State

1 Personnel Act.

2 (b) The State Personnel Commission shall examine the present
3 options listed in subsection (a) of this Section available to
4 State employees and other options the State Personnel Commission
5 may make available for a comprehensive program of work options
6 for State employees. The State Personnel Commission shall determine
7 the need for additional permanent part-time positions within
8 State Government and how increased use of these positions could
9 benefit employee morale and productivity as well as increase the
10 use of the available labor force.

11 "§126-71. Promoting Work Options Program.

12 The State Personnel Commission shall develop a program to expand
13 the use of work options. This program shall include training
14 sessions for agency personnel to instruct them in the use of work
15 options available to State employees. The State Personnel Commission
16 shall also provide technical assistance to agency personnel in
17 developing a Work Options Program for each agency or expanding
18 existing programs in each agency. The Work Options Coordinator
19 shall also identify personnel positions within the State Personnel
20 System which can effectively be structured in job sharing or
21 part-time employment positions.

22 "§126-72. Authority of Agencies to Participate.

23 The State Personnel Commission shall request from each agency
24 assistance in formulating the Work Options Program. Any division,
25 department, agency, instrumentality or authority shall partici-
26 pate in the program of work options as established in this
27 Article.

28 "§126-73. Administration.

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1 The State Personnel Commission and any State division, department,
2 agency, instrumentality or authority participating in the State
3 Work Options Program shall promulgate rules necessary for the
4 administration of the program pursuant to Chapter 150A, "The
5 Administrative Procedures Act."

6 "§126-74. Report Required.

7 The State Personnel Commission shall require a biennial report of
8 each State division, department, agency, instrumentality or
9 authority on the status of the Work Options Program. The State
10 Personnel Commission shall in turn make a biennial report to the
11 General Assembly on the status of the Work Options Program,
12 including any increase in the use of job sharing, flexible work
13 hours and any other approved work option for State employees."

14 Sec. 2. This Act shall become effective July 1, 1981.

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INTRODUCED BY:

Referred to:

1 A BILL TO BE ENTITLED AN ACT TO PROVIDE RETIREMENT BENEFITS TO
2 PERMANENT PART-TIME STATE EMPLOYEES IN THE TEACHERS AND STATE
3 EMPLOYEES RETIREMENT SYSTEM AND TO PERMIT PURCHASE OF PRIOR
4 PERMANENT PART-TIME SERVICE.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 135-1(5) is rewritten to read as follows:

7 " 'Average Final Compensation' shall mean the average annual
8 compensation of a member during the forty-eight consecutive months
9 of creditable service in which the highest total compensation was
10 earned, adjusted proportionally to the regular term of annual
11 employment."

12 Sec. 2. G.S. 135-1(7a) is rewritten to read:

13 "(7a) 'Compensation' shall mean all salaries and wages derived
14 from public funds which are earned by a member of the Retirement
15 System for service as an employee or teacher for an employer as
16 defined in this section."

17 Sec. 3. G.S. 135-1(10) is amended by deleting the
18 first sentence and by substituting the following: " 'Employee'
19 means all employees, agents or officers of the State of North
20 Carolina or any of its departments, bureaus and institutions
21 other than educational, whether the employees are elected, appointed
22 or employed, unless a particular class of employee is specifically
23 excluded from this definition. 'Employee' does not mean any person
24 who is a member of the Uniform Judicial Retirement System, or any

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1 member of the General Assembly. 'Employee' shall not mean any
2 temporary employee. 'Employee' does not mean a full-time
3 student in pursuit of a degree or diploma in a degree-granting
4 program, who is not otherwise an 'employee' under this
5 subdivision."; and is further amended by rewriting the last
6 sentence to read: " 'Employee' does not mean any temporary
7 or permanent part-time employee of the North Carolina
8 Symphony Society, Inc., and of the North Carolina Art Society,
9 Inc."

10 Sec. 4. G.S. 135-1(14) is rewritten to read:
11 "(14) 'Membership Service' shall mean service as determined under
12 G.S. 135-4(b) as a teacher or State employee while a member of
13 the Retirement System."

14 Sec. 5. G.S. 135-1(25) is rewritten to read:
15 "(25) 'Teacher' means any teacher or teacher's aide, librarian,
16 principal, supervisor, superintendent of public schools, or any
17 employee of a city or county Board of Education, superintendent of
18 public instruction, or employee of the Department of Public
19 Instruction. 'Teacher' also means any president, dean or
20 teacher, or any employee in any educational institution supported
21 by and under the control of the State. 'Teacher' does not
22 mean any temporary or substitute teacher or temporary employee,
23 nor does it mean persons participating in an optional retirement
24 program provided for in G.S. 135-5.1. 'Teacher' does not mean
25 a full-time student in pursuit of a degree or diploma in a
26 degree-granting program, who is not otherwise a 'teacher' under
27 this subdivision. In all cases of doubt, the Board of Trustees,
28 hereinafter defined, shall determine whether a person is a

1 'teacher' as defined by this subdivision."

2 Sec. 6. G.S. 135-4(b) is rewritten to read:

3 "The Board of Trustees shall fix and determine by appropriate
4 rules and regulations how much service in any year, as based on
5 compensation, is equivalent to one year of service in proportion
6 to 'earnable compensation,' but in no case shall more than one
7 year of service be creditable for all services in one year.
8 Service rendered for the regular school year in any district shall
9 be equivalent to one year's service."

10 Sec. 7. G.S. 135-4 is amended by adding a new subsection

11 to read: "(p) Part-Time Service Credit. Upon
12 completion of 10 years of membership service, any member may
13 purchase service previously rendered as a teacher or employee
14 of the State except for temporary or part-time service rendered
15 while a full-time student in pursuit of a degree or diploma in a
16 degree-granting program. Payment shall be made in a single lump
17 sum in an amount equal to the full actuarial cost of providing
18 credit for the service, together with interest and an administra-
19 tive fee, as determined by the Board of Trustees on the advice
20 of the Retirement System's actuary.

21 Sec. 8. This act is effective January 1, 1982.

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